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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/240,893	01/29/1999	G. ALEX TERRY	ITC:9905	7923

7590

05/21/2002

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EXAMINER

NGUYEN, DUC MINH

ART UNIT

PAPER NUMBER

2643

DATE MAILED: 05/21/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/240,893

Applicant(s)

TERRY, ALEX

Examiner

Duc Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 45-52 and 57-65 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 45-52 and 57-65 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: _____

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 45-46, 57, 60-62 are rejected under 35 U.S.C. 102(e) as being anticipated by Verderamo et al (6,230,145).

Consider claim 45. Verderamo teaches a method for providing a user access over a data network (col. 1, ln. 20-44) to select billing records associated with an account of the user, comprising storing billing records associated with the user's account in a database (server 18; col. 2, ln. 66 to col. 3, ln. 34); receiving a query containing one or more parameters from the user over

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the data network, the query seeking which of the billing records associated with the user's account satisfy the one or more parameters of the query (see the abstract, e.g., the requested information entered into the entry boxes is then processed at the host. A GUI having bank card transaction data associated with the processed requested information is then displayed on the computer); searching the data base for individual billing records associated with the user's account which satisfy the one or more parameters of the query received from the user (fig. 13-15, 19, 23, 25, 28-29, 33A-B, 35 display a plurality of individual record requested by the user); and displaying results of the searching to the user over the data network, including displaying the individual billing records associated with the user's account which satisfy the one or more parameters of the query received from the user (fig. 13-15, 19, 23, 25, 28-29, 33A-B, 35 display a plurality of individual record requested by the user).

Consider claim 46. Verderamo further teaches accessing new billing records for which an invoice has not yet been issued to the user (daily funding information; col. 3, ln. 49-64). It is inherently that the daily funding information would include the new billing records for which an invoice (e.g., monthly invoice) has not yet been issued to the user.

Consider claim 57. (The abstract; Col. 1, ln. 20-44; col. 2, ln. 37-40) read on the limitations of claim 57.

Consider claims 60-61. (Col. 1, ln. 20-44; col. 2, ln. 37-40) read on the limitations of claims 60-61.

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Consider claim 62. Verderamo teaches a method for providing a user access over a data network (col. 1, ln. 20-44; col. 2, ln. 37-40) to billing records associated with an account of the user, comprising storing billing records associated with the user's account in a database (server 18; col. 2, ln. 66 to col. 3, ln. 34), including new billing records for which an invoice has not yet been issued to the user (daily funding information; col. 3, ln. 49-64); receiving a request from the user over the data network to view the stored billing records (see fig. 13-15, 19, 23, 33A-B, 35); and displaying the stored billing records to the user over the data network, including displaying the new billing records for which an invoice has not yet been issued to the user (col. 3, ln. 49-64). It is inherently that the daily funding information would include the new billing records for which an invoice (e.g., monthly invoice) has not yet been issued to the user.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 47-49, 51, 58, 63-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Verderamo et al (6,230,145) in view of Pickering (5,483,445).

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Consider claims 47-49. Verderamo does not teach the billing records are telecommunication billing records, web service, Internet service, a telephone service and pager service.

Pickering teaches the billing records are telecommunication billing records, web service, Internet service, a telephone service and pager service (fig. 7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Pickering into the teachings of Verderamo in order to provide the customer or consumer with a convenient, simple and time and money saving bill payment method.

Consider claim 51. Pickering further teaches the billing records relate to charges from a plurality of entities (see fig. 7).

Consider claim 58. Pickering further teaches the billing records relate to a plurality of differing communication devices (fig. 7).

Consider claims 63-65. Pickering further teaches the billing records are telecommunication billing records, web service, Internet service, a telephone service and pager service (fig. 7).

5. Claims 50, 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Verderamo et al (6,230,145) in view of Flood (5,864,613).

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Consider claim 50. Verderamo does not teach the step of providing the user with a customized event monitor, the event monitor alerting the user when telephone transactions meet a specified criteria.

Flood teaches a long distance transaction event monitor, the event monitor comprising an interface (column 4 lines 8-18); query logic and event monitor (switch intelligence 110 which includes computer system 200; see the abstract; column 1 line 66 to column 2 line 8; column 2 line 60 to column 3 line 10; column 3 line 22 to column 4 line 6 line 5; column 7 line 66 to column 8 line 49).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Flood into the teachings of Verderamo in order to effectively control the cost of telephone usage.

Consider claim 52. Flood further teaches disabling the telecommunication device when a user-specified criteria relating to the billing records is satisfied (col. 1, ln. 55 to col. 2, ln. 8; col. 4, ln. 42-50; col. 5, ln. 32 to col. 6, ln. 5).

6. Claim 59 is rejected under 35 U.S.C. 103(a) as being unpatentable over Verderamo et al (6,230,145) in view of Brandt et al (6,377,993).

Consider claim 59. Verderamo does not teach the query are selected from group consisting of calling device, device called, area called, transaction duration, transaction cost, date of transaction, and time of transaction.

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Brandt teaches the GUI enabling the requesting, customizing, scheduling and viewing of various types of priced call detail data reports pertaining to a customer's usage of telecommunications services (see the abstract; col. 3, ln. 36-61; col. 4, ln. 28-58). CDR - Call Detail Record is defined as an accounting record produced by Switches to track Call Type, Time, Duration, Facilities used, Originator, Destination, etc. CDRs are used for customer billing, rate determination, network monitoring, and facility capacity planning. Therefore, Brandt inherently discloses the query are selected from group consisting of calling device, device called, area called, transaction duration, transaction cost, date of transaction, and time of transaction.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Brandt into the teachings of Verderamo in order to enable customers to access their own relevant data information timely, rapidly and accurately through the GUI client interface.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Nguyen whose telephone number is (703) 308-7527.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Kuntz, can be reached on (703) 305-4708.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

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or faxed to:

(703) 308-6306 or (703) 308-6296 (Group's Fax numbers)
(703) 746-7251 (Examiner's Fax number, only for proposed amendment)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

May 16, 2002



DUC NGUYEN
PRIMARY EXAMINER